

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
EASTERN DIVISION  
Civil Action No. 4:22-CV-27

PATSY TALLEY,

Plaintiff,

v.

DALE R. FOLWELL, individually and in his  
official capacity as TREASURER OF THE  
STATE OF NORTH CAROLINA;  
TEACHERS' AND STATE EMPLOYEES'  
RETIREMENT SYSTEM (TSERS) OF  
NORTH CAROLINA; NORTH CAROLINA  
DEPARTMENT OF STATE TREASURER,  
RETIREMENT SYSTEMS DIVISION; and  
the members of the TSERS Board of Trustees  
both individually and in their official capacity:  
LENTZ BREWER, JOHN EBBIGHAUSEN,  
VERNON GAMMON, DIRK GERMAN,  
BARBARA GIBSON, LINDA GUNTER,  
OLIVER HOLLEY, GREG PATTERSON,  
MARGARET READER, JOSHUA SMITH,  
CATHERINE TRUITT, JEFFREY  
WINSTEAD, and THE STATE OF NORTH  
CAROLINA,

Defendants.

**DEFENDANTS' MOTION FOR  
PROTECTIVE ORDER**

NOW COME the Defendants Dale R. Folwell, Lentz Brewer, John Ebbighausen, Vernon Gammon, Dirk German, Barbara Gibson, Linda Gunter, Oliver Holley, Greg Patterson, Margaret Reader, Joshua Smith, Catherine Truitt, and Jeffrey Winstead, all in their individual capacities only (collectively, "Individual Defendants"), and pursuant to F. R. Civ. P. 26(c) and Local Civil Rules 7.1 and 26.1 file this Motion for Protective Order in the form attached hereto as Exhibit 1 to safeguard certain documents that may be produced in the discovery phase of this matter that the

Individual Defendants and Plaintiff Patsy Talley (collectively, the “Parties”) or nonparties subject to a Rule 45 subpoena may identify as confidential.

In accordance with Local Rule 7.1(c)(2), counsel for Individual Defendants certifies that Individual Defendants attempted to confer with Plaintiff in good faith to secure a protective order satisfactory to all parties prior to filing this Motion. As discussed more fully in the Memorandum that will be contemporaneously filed herewith, the parties have agreed on all but two items in the proposed Consent Protective Order, but as to those two terms Plaintiff’s counsel has not responded to further meet and confer efforts.

**WHEREFORE**, for the reasons set forth in the contemporaneously filed Memorandum in Support of this motion, which constitute good cause shown, the Individual Defendants respectfully move the Court to:

1. Approve the proposed protective Order, attached as Exhibit 1.
2. Grant Individual Defendants such other relief as the Court deems proper.

Respectfully submitted, this the 11<sup>th</sup> day of January 2024.

JOSHUA H. STEIN  
Attorney General

/s/ Marc X. Sneed  
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**CERTIFICATE OF SERVICE**

I hereby certify that on 11 January 2024, I electronically filed the foregoing DEFENDANTS' MOTION FOR PROTECTIVE ORDER- with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the following CM/ECF participants:

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Respectfully submitted,

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